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Atty. Dkt. No. 034536-0220

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tod R. SMEAL et al.

Title: PHOSPHOSPECIFIC PAK ANTIBODIES AND DIAGNOSTIC KITS

Appl. No.: 10/716,936

Filing Date: 11/20/2003

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application, PCT/US03/37201. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

The Commissioner is hereby authorized to charge any additional fees which may be

required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to  
Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a  
check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or  
even entirely missing, the Commissioner is authorized to charge the unpaid amount to  
Deposit Account No. 19-0741.

Respectfully submitted,

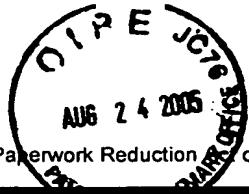
By



Date 24 August 2005

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Solely for form 1449B/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of 1

## Complete if Known

Application Number	10/716,936
Filing Date	11/20/2003
First Named Inventor	Tod R. Smeal
Group Art Unit	Unassigned
Examiner Name	Unassigned

Attorney Docket Number 034536-0220

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
A1	2003/0050230	A1	PLOWMAN et al.	03-13-2003		

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
A2	EP	1 085 093		A2	NEW YORK UNIVERSITY	03-21-2001		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
A3		CALLOW et al., "Requirement for PAK4 in the Anchorage-independent Growth of Human Cancer Cell Lines," <u>The Journal of Biological Chemistry</u> , January 4, 2002, pp. 550-558, Vol. 277, No. 1, The American Society for Biochemistry and Molecular Biology, Inc.	
A4		HAWTIN et al., "Expression and activation analysis of the p21 activated protein kinase, PAK4, in human colon adenocarcinomas," <u>Proc. Of AACR Annual Meeting</u> , July 2003, p. 881, Abstract #4444, Vol. 44, 2 <sup>nd</sup> Ed.	
A5		HAWTIN et al., "Analysis of PAK4 kinase expression and activity in human tumor cell lines," <u>Proc. Of AACR Annual Meeting</u> , July 2003, p. 273, Abstract #1398, Vol. 44, 2 <sup>nd</sup> Ed.	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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